

**OFFICE OF THE CITY CLERK**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813 / TELEPHONE 523-4352

**GENEVIEVE G. WONG**  
City Clerk

May 10, 2002

The Honorable Mazie Hirono  
Lieutenant Governor  
State of Hawaii  
P.O. Box 3226  
Honolulu, Hawaii 96813

Dear Lieutenant Governor Hirono:

Pursuant to Hawaii Revised Statutes, transmitted for filing are two copies of the Rules and Regulations of the Department of Customer Services relating to publication dispensing rack enclosures throughout the Waikiki Special District which were adopted on May 8, 2002, and to become effective on May 18, 2002.

Sincerely,

A handwritten signature in cursive script, reading "Genevieve Wong", is written over the typed name.

GENEVIEVE G. WONG  
City Clerk

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Enclosures

DEPARTMENT OF CUSTOMER SERVICES

SUBTITLE 8 BUSINESS LICENSE AND PERMIT RULES

CHAPTER 66

PUBLICATION DISPENSING RACK ENCLOSURES THROUGHOUT THE  
WAIKIKI SPECIAL DISTRICT

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\$66-1 General Provisions.

(a) Applicability and scope. These rules and regulations shall govern the implementation, administration and enforcement of the publication dispensing rack enclosures and publication dispensing rack spaces throughout the Waikiki Special District.

(b) Objectives. The objectives of these rules and regulations are to establish guidelines and procedures for the regulation of publication dispensing rack enclosures, spaces and inserts throughout the Waikiki Special District of the City and County of Honolulu.

\$66-2 Definitions.

**"Allocation"** means the triennial allocation made by the director under Section 29-11.6 (c) (1), Chapter 29, Article 11, Revised Ordinances of Honolulu (ROH).

**"Authorized agent"** means a person designated by the owner of a publication to be his representative on his behalf at a lottery or at a meeting with other owners and/or publishers or agents of a publication, and/or with city agencies or representatives.

**"City-installed," "city shall install," "installed by the city,"** or words of similar import shall mean installation, undertaken by or caused to be undertaken by the city.

**"Department"** means the department of customer services of the City and County of Honolulu.

**"Director"** means the director of customer services of the City and County of Honolulu, or the director's duly authorized subordinate.

**"Handbill"** means any printed or written matter consisting of a single sheet.

**"Insert,"** when used as a noun, means a publication dispensing rack insert.

**"Install"** includes construct, erect, fabricate and affix.

**"Location"** means a site designated by the director for a group of city-installed publication dispensing rack enclosures situated in the Waikiki special district pursuant to this article.

**"Owner"** means the owner of a publication or, the name of the proprietor or, if a partnership, the name of the partnership and the names of all partners or, if a corporation, the name of the corporation and the names of its officers.

**"Permit"** means a paid publication dispensing rack space allocation or reallocation invoice issued pursuant to this article.

**"Permit period"** means the three-year period for which spaces are allocated under Section 29-11.6 (c) (1), Chapter 29, Article 11, ROH.

**"Permittee"** means a person to which or to whom a publication dispensing rack permit has been issued pursuant to this article.

**"Publication"** means any written or printed mater, including but not limited to, daily and/or periodical newspapers and visitor information publication, as defined in Section 29-11.2, Chapter 29, Article 11, ROH, and having a minimum of two printed sheets.

**"Publication dispensing device"** means any stand, box, rack or other device, other than a publication dispensing rack enclosure or a publication dispensing rack insert, used to dispense any publication. For purposes of this definition, a natural person shall not be deemed a device.

**"Publication dispensing rack enclosure" or "enclosure"** means a structure installed by the city in the Waikiki special district with spaces in which publication dispensing rack inserts may be inserted.

**"Publication dispensing rack insert"** means a box, insert or rack with a clear plastic face that is owned by a permittee, that is designed to be inserted into a publication dispensing rack space, and that is constructed to hold and display a publication.

**"Publication dispensing rack space" or "space"** means an area within a publication dispensing rack enclosure that is constructed to hold a publication dispensing rack inserts to display and dispense a publication.

**"Publisher"** means an owner or authorized agent of the owner of a publication. The director of customer services may adopt rules defining the term "owner" or "authorized agent" for purposes of this definition.

**"Reallocation"** means a reallocation of unallocated, abandoned or surrendered spaces made by the director pursuant to Section 29-11.6 (c) (2), Chapter 29, Article 11, ROH.

**"Sidewalk"** means that portion of a street between a curb line or the pavement of a roadway, and the adjacent private or public property line, whichever the case may be, intended for the use of pedestrians, including any setback areas acquired by the city for road widening purposes. The term shall also include any "mail," as that term is defined in Section 29-10.2, Chapter 29, Article 10, ROH.

**"Twelve-inch publication dispensing rack enclosure"** means a publication dispensing rack enclosure designated as such by the director under Section 29-11.4, Chapter 29, Article 11, ROH.

**"Twelve-inch publication dispensing rack insert"** means an insert designed to fit snugly within a space in a 12-inch publication dispensing rack enclosure.

**"Twenty-four-inch publication dispensing rack enclosure"** means a publication dispensing rack enclosure designated as such by the director under Section 29-11.4, Chapter 29, Article 11, ROH.

**"Twenty-four-inch publication dispensing rack insert"** means an insert designed to fit snugly within a space in a 24-inch publication dispensing rack enclosure.

**"Unallocated publication dispensing rack space"** means a publication dispensing rack space that has not been allocated in the most recent allocation under Section 29.11.6 (c) (1) or reallocated since that time under Section 29.11.6 (c) (2), Chapter 29, Article 11, ROH.

**"Waikiki special district"** means the Waikiki special district identified in Chapter 21, Article 9, ROH.

§66-3 Publication Dispensing Rack Space Permit.

(a) General permit provisions. Any publisher desiring a permit as described in section 29-11.6 (a), Chapter 29, Article 11, ROH, shall obtain a permit issued by the department.

(b) Permit shall not be transferable.

(1) No permit may be used to dispense a publication other than the publication named in the permit.

(2) A publication dispensing rack space permit is deemed transferred when the title of the publication is different from the title of the publication named on the permit application and the copy of the publication submitted with the permit application.

(c) Permit expiration date.

(1) The date of issuance or effect and the date of expiration shall be noted on the permit of the initial triennial allocation of a space or spaces in a publication dispensing rack enclosure. The expiration date shall not exceed the three-year permit period.

(2) The date of issuance or effect and the date of expiration shall be noted on the permit of the reallocation of a space or spaces in a publication

dispensing rack enclosure, other than the triennial three-year permit period beginning on July 1<sup>st</sup>. The expiration date shall be for the remainder of the three-year period.

(d) Application for a permit. The following provisions shall apply to all applications for a publication dispensing rack space permit:

- (1) Applications for permits may be obtained in person during the business hours from 8:00 a.m. to 4:30 p.m. at the Division of Motor Vehicle, Licensing and Permits, Chinatown Gateway Plaza, 2<sup>nd</sup> Floor, 1031 Nuuanu Avenue, Honolulu, Hawaii 96817.
- (2) Upon request to the Division of Motor Vehicle, Licensing and Permits, Chinatown Gateway Plaza, 2<sup>nd</sup> Floor, 1031 Nuuanu Avenue, Honolulu, Hawaii 96817, applications for permits can be mailed to the requester.
- (3) Applications to participate in a triennial allocation pursuant to subsection 29-11.6 (c) (1), Chapter 29, Article 11, ROH, or in a May reallocation under subsection 29-11.6 (c) (2), Chapter 29, Article 11, ROH, shall be submitted to the director no earlier than March 1, and no later than May 1, of the year in which the reallocation is scheduled to take place.
- (4) Applications to participate in a November reallocation under subsection 29-11.6 (c) (2), Chapter 29, Article 11, ROH, shall be submitted to the director no earlier than September 1, and no later than November 1, of the year in which the reallocation is scheduled to take place.
- (5) There shall be a nonrefundable application fee of \$50.
- (6) All applications, mailed in to the Division of Motor Vehicle, Licensing and Permits, shall be postmarked no later than the deadline date indicated on the application form.
- (7) In addition to the requirements of Section 29-11.6(b), Chapter 29, Article 11, ROH, all applications for a permit shall also include the following:

- (A) If the owner of a publication is unable to participate in the allocation and/or reallocation process, the owner shall indicate on the permit application form naming the owner's authorized agent or alternate agent to be the sole representative at the allocation and/or reallocation.
- (B) The certificate of liability insurance shall state the purpose of the liability coverage in accordance with Section 29-11.6 (b), (6), Chapter 29, Article 11, ROH.
- (8) The required copy of the publication submitted with the application shall also include the following contact information, in English, within the publication:
  - (A) Name of the publication.
  - (B) Address of the publication.
  - (C) Telephone number.
- (9) The director may deny any application for a publication dispensing rack space permit for any information that is not accurate or completed and is in violation of any provisions of this ordinance and these rules.
- (e) Permit revocation.
  - (1) If a permittee fails to remain in compliance with the requirements as set forth in these rules or in Ordinance #02-10, Revised Ordinances of Honolulu, the director may immediately revoke the permit issued. Any permit that is revoked by the director will void the dispensing rack space or spaces allotted to a permittee, and the space or spaces shall be reallocated pursuant to section 29-11.6 (c) (2), Chapter 29, Article 11, ROH.
  - (2) If a permittee fails to be in compliance with subsection (a) of this section, there shall be no refund of fees for the remainder of the three-year permit period for all spaces on the publication dispensing rack space permit.

§66-4      Publication Dispensing Rack Enclosure.

(a) Designated locations.

- (1) The director shall designate each publication rack enclosure as a 12-inch publication dispensing rack enclosure or as a 24-inch dispensing rack enclosure. The designation shall take effect for the first allocation following the designation.
- (2) The City shall have installed a minimum of 93 publication dispensing rack enclosures with a minimum of 1400 publication dispensing rack spaces within the Waikiki Special District.
- (3) At least 21 of the publication dispensing rack enclosures with a minimum of 500 spaces shall be installed on the sidewalk of Kalakaua Avenue.

A map of the location of each publication dispensing rack enclosure, marked as "Exhibit A," is made a part of this chapter.

(b) Installation.

- (1) A minimum of one twelve-inch publication dispensing rack enclosure and one twenty-four-inch publication dispensing rack enclosure shall be installed at each designated location.
- (2) A publication dispensing rack enclosure in the Waikiki special district shall contain a minimum of two publication dispensing rack spaces.

(c) Design, dimensions, placement, materials and orientation. The City's Department of Design and Construction shall determine the design, dimensions, placement, materials and orientation of each publication dispensing rack enclosure.

- (1) The City's Department of Design and Construction should consider sound traffic engineering principles and pedestrian safety factors in determining the exact dimensions and placement of each enclosure.
- (2) The City's Department of Design and Construction shall ensure compliance with the Americans with Disabilities



Act (ADA), Chapter 21 (the Land Use Ordinance), and Chapter 15 (the Traffic Code).

- (3) Standards prescribed by the City's Department of Design and Construction may differ for the various publication dispensing rack enclosures.
- (4) The City's Department of Design and Construction should adhere to the Department of Transportation Services' guidelines for the placement of obstructions in sidewalk areas, and any revisions thereto, to the extent practicable.

\$66-5. Publication Dispensing Rack Space.

- (a) Rack space designation. For the purposes of identification, the rack space shall be designated by lettering no larger than 11-1/2" in length and 1" in height, indicating the name of the publication for each space within a publication dispensing rack enclosure.
- (b) Method of allocation and reallocation.
  - (1) All spaces in all publication dispensing rack enclosures shall be allocated by the director for the three-year period commencing July 1, 2002 and ending June 30, 2005 and shall be allocated again for the three-year period commencing on July 1, 2005 and every three years thereafter for the subsequent three-year period.
  - (b) The allocation and reallocation of all publication dispensing rack spaces shall be by lottery held at a facility designated by the department.
  - (c) The director shall determine and make available procedures for other methods of random selection, other than a lottery, if he deems it necessary.
- (c) Unallocated, abandoned or surrendered publication dispensing rack space. Unallocated, abandoned or surrendered spaces shall be reallocated pursuant to Section 29-11.6 (c) (2), Chapter 29, Article 11, ROH.
  - (1) Abandonment of a publication dispensing rack space.

- (A) A publication dispensing rack space or spaces that is not in active use for a period of 20 consecutive calendar days and is not occupied by the publication for which a permit was issued shall be deemed abandoned.
  - (B) The department shall issue a Notice of Violation to the permittee of any dispensing rack space or spaces deemed abandoned. The permittee shall be notified in writing at the address on record with the department by registered or certified mail. Absent evidence to the contrary, a notice shall be deemed received by the permittee five days after the mailing.
    - (1) If, the permittee wishes to contest the Notice of Violation for a space or spaces that is deemed abandoned, the permittee shall provide a written statement to the director within 10 calendar days stating the reasons for contesting the space or spaces deemed abandoned.
    - (2) The director shall respond within 10 calendar days, after receipt of the permittee's written statement, of his final determination of abandonment of the space or spaces.
    - (3) If, after the director's final determination has deemed the space or spaces abandoned, the permittee may appeal the determination pursuant to Chapter 8 of these rules.
  - (C) Any publication dispensing rack space or spaces deemed abandoned shall be made available for reallocation pursuant to Section 29-11.6 (c) (2), Chapter 29, Article 11, ROH.
- (2) Surrendered publication dispensing rack space.
- (A) A permittee of the publication dispensing rack space may surrender the permit to the director prior to its expiration date when the permittee of such permit no longer wishes to distribute the publication through the dispensing rack space.

- (B) The dispensing rack space under such revoked permit or deleted from the permit shall be made available for reallocation pursuant to Section 29-11.6 (c) (2), Chapter 29, Article 11, ROH.
- (C) There shall be no refund to a permittee for any surrendered publication dispensing rack space or spaces for the remainder of the three-year permit period on the publication dispensing rack space permit.

§66-6 Publication Dispensing Rack Insert. The director shall establish the standards for the size, design, color and material of the publication dispensing rack inserts that may be inserted into the city's publication dispensing rack enclosures pursuant to permit. Different standards may be established for 12-inch publication dispensing rack inserts and 24-inch publication dispensing rack inserts.

§66-7 Installation, Maintenance and Repair of Publication Dispensing Enclosures, Spaces and Inserts.

(a) Installation.

- (1) It shall be the responsibility of the city to install publication dispensing rack enclosures, either directly, by contract with a private contractor or through a special improvement district. Any cost for the installation of the enclosures shall be borne by the city.
- (2) The director shall coordinate the installation and retrofit of all publication dispensing rack enclosures with the city's Department of Design and Construction.
- (3) It shall be the responsibility of the owner of the publication to install publication dispensing rack insert for each space within a publication dispensing rack enclosure, approved by the director.

(b) Maintenance and repair.

- (1) It shall be the responsibility of the city to maintain and repair the publication dispensing rack enclosures, either directly, by contract with a private contractor or through a special improvement district. Any cost

for the maintenance and repair of the enclosures shall be borne by the city.

- (2) The director shall coordinate with the city's Department of Design and Construction and/or the Department of Facilities Maintenance, as appropriate, regarding the maintenance and repair of the enclosures.
- (c) Cleaning.
- (1) The director shall coordinate for the cleaning of the publication dispensing rack enclosures and all vacant spaces within the enclosure, either directly, by contract with a private contractor or through a special improvement district, with the city's Department of Facilities Maintenance.
  - (2) The publishers shall be responsible to clean, maintain and repair the publication dispensing rack insert within a publication dispensing rack enclosure.

\$66-8      Temporary Dislocations.

- (a) Public, private or utility construction work. If construction is more than 60 calendar days, the city may relocate or provide temporary publication dispensing rack enclosures until the work is completed.
- (b) Temporary dislocation relocation. The director coordinate with the city's Department of Transportation Services and other applicable agencies to determine the temporary relocation of publications that are dislocated. The temporary relocation should be within close proximity of the existing location of the publication dispensing rack enclosure.
- (c) Temporary dislocations rebate. The director shall provide rebate to a permittee of a publication dispensing rack space within a publication dispensing rack enclosure that has been temporarily dislocated for each calendar month and fraction thereof. The rebate shall be prorated on a monthly basis for each space within each temporarily dislocated enclosure.

\$66-9      Appeals.

(a) Right to a hearing. Whenever the director denies, suspends or revokes a publication dispensing rack space permit or application for a permit under these rules and regulations, the director shall immediately notify the permittee in writing, either by registered or certified mail with return receipt requested, of the department's decision and the right of the permittee to a hearing.

(b) Filing a petition.

(1) The permittee shall have ten calendar days from the date of receipt of the department's decision denying the issuance of a permit or revoking or suspending of a permit, to file a written petition of appeal for a hearing with the director. Appeals submitted after the time limits prescribed in this section will be considered untimely.

(2) Petitions of appeal shall be filed and sent to the office of the director at the Division of Motor Vehicle, Licensing and Permits, Chinatown Gateway Plaza, 2<sup>nd</sup> Floor, 1031 Nuuanu Avenue, Honolulu, Hawaii 96817.

(3) The petition of appeal shall contain the following information:

(A) Petitioner's name, address, and telephone number and/or cellular telephone number, and, if any, the facsimile number and/or E-mail address.

(B) The issue on appeal.

(C) A statement of the relevant facts.

(D) The remedy sought, including the rationale and legal basis in support of the requested remedy.

(E) Petitioner's signature and the date the petition is submitted to the director.

(c) Hearing.

(1) Within ten calendar days from the filing of a petition of appeal, the director or a designated hearing

officer shall notify the petitioner in writing as to the date, time and place of the hearing by registered or certified mail with return receipt requested. The petitioner shall be given written notice of hearing at least fifteen calendar days prior to the hearing.

- (2) The notice of hearing and hearing shall be in conformity with the provisions of chapter 91, Hawaii Revised Statutes (HRS), relating to contested cases.
- (d) Designation of hearing officer. The director may designate a hearing officer who is assigned to a division other than the department of customer services.
- (e) Decision and order. Each decision and order adverse to the petitioner shall be in writing or stated in the record and shall be accompanied by separate findings of fact and conclusions of law. The petitioner shall be notified by delivery or mailing of a certified copy of the decision and order and accompanying findings of facts and conclusions of law within thirty calendar days from the close of the hearing.
- (f) Judicial review. Any person aggrieved by the final decision and order of the hearing officer may appeal such action in the circuit court in accordance with section 91-14, Hawaii Revised statutes.

§66-10     Rulemaking.

- (a) Initiation of rulemaking procedures.
  - (1) The director may at any time initiate proceedings to adopt, amend, or repeal any rule of the department.
  - (2) Any person may petition the director requesting the adoption, amendment or repeal of any rule of the department.
- (b) Contents of petition. Petitions for rulemaking shall contain:
  - (1) The petitioner's name, address, and telephone number and/or cellular telephone number, and, if any, the facsimile number and/or E-mail address.

- (2) A draft of the substance of the proposed rule or amendment or a designation of the provision sought to be repealed.
  - (3) A statement of the nature of the petitioner's interest.
  - (4) A statement of the reasons in support of the proposed rule, amendment, or repeal.
- (c) Disposition of petition. Within thirty calendar days after receipt of the petition, the director shall either deny the petition in writing, stating the reasons for the denial, or initiate rulemaking proceedings in accordance with section 91-3, Hawaii Revised Statutes. Upon disposition of the petition, the director shall notify the petitioner in writing.
- (d) Notice of public hearings.
- (1) When, pursuant to a petition or on his own initiative, the director proposes the adoption, amendment or repeal of rules, notice of proposed rulemaking shall be published at least once in a newspaper of general circulation within the city and county.
  - (2) The notice shall be published at least thirty calendar days prior to the date set for the public hearing.
  - (3) The notice shall also be mailed to all persons who have made a timely request of the department for advance notice of its rulemaking proceedings.
  - (4) The notice shall include the following information:
    - (A) A statement of the topic of the proposed rule adoption, amendment, or repeal, or general description of the subjects involved.
    - (B) A statement that a copy of the proposed rule to be adopted, amended, or repealed will be mailed to any interested person who requests a copy, pays the required fees for the copy and the postage, if any, together with a description of where and how the requests may be made.

- (C) A statement of when, where, and during what times the proposed rule to be adopted, amended, or repealed may be reviewed in person.
- (D) The date, time, and place where the public hearing will be held and where interested persons may testify on the proposal.
- (5) All interested persons shall be afforded an opportunity to submit data, views, or arguments, orally or in writing, at the hearing or by mail.

\$66-11      Declaratory Rulings.

- (a) Who may petition. Any interested person may petition the director for a declaratory ruling as to the applicability of any statute or ordinance relating to the department, or of any rule or order of the department.
- (b) Contents of petition.
  - (1) The petition shall contain:
    - (A) The petitioner's name, address, and telephone number and/or cellular telephone number, and, if any, the facsimile number and/or E-mail address.
    - (B) Designation of the specific provision, rule, or order in question, together with a statement of the controversy or uncertainty involved.
    - (C) A complete statement of facts.
    - (D) A statement of the petitioner's interest and reasons for submitting the petition.
    - (E) A statement of the petitioner's position or opinion.
    - (F) Justification and legal arguments supporting the petitioner's position.
  - (2) Any petition, which does not conform, to the forgoing requirements may be rejected.
- (c) Referral to other agencies. Where any question of law is involved, the director may refer the matter to corporation



counsel. The director may also obtain the assistance of other agencies when necessary or desirable.

(d) Director's action on petition.

(1) Within sixty calendar days after the receipt of a petition for declaratory ruling, the director shall either deny the petition in writing stating the reasons for refusing to issue a declaratory ruling, or shall issue a declaratory ruling on the matters contained in the petition.

(2) The director shall notify the petitioner in writing of the disposition of the petition.

(e) Refusal to issue declaratory ruling. The director may refuse to issue a declaratory ruling where:

(1) The question is speculative or hypothetical and does not involve existing facts, or facts which can reasonably be expected to arise within the next year.

(2) The petitioner's interest is not of the type which would give the petitioner standing to maintain an action if judicial relief were sought.

(3) The issuance of the declaratory ruling may adversely affect the interests of the city in any litigation, which is pending or may reasonably be expected to arise.

(4) The matter is not within the jurisdiction of the department.

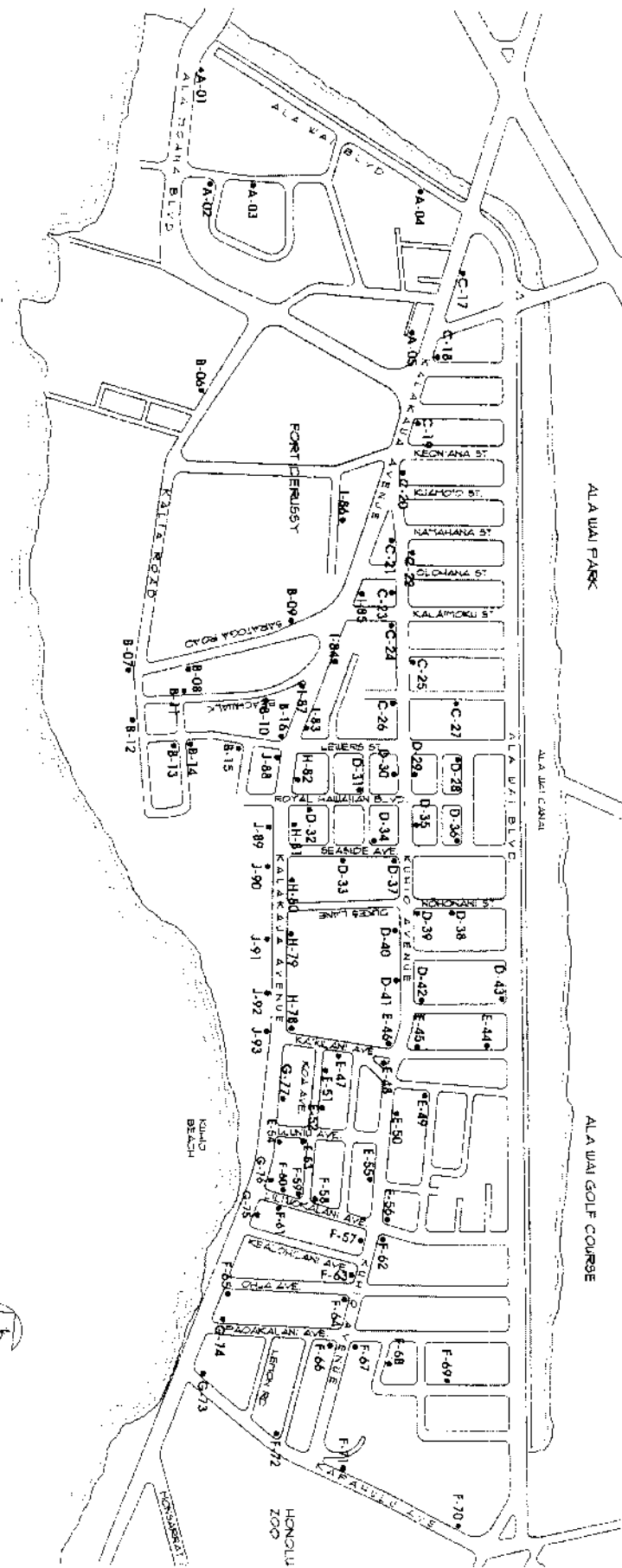
(5) For other good cause.

(f) Applicability of declaratory ruling. A declaratory ruling shall apply only to the factual situation stated in the petition or set forth in the ruling. A declaratory ruling shall not apply to situations where the facts are different or where there are additional facts.

§66-12 Enforcement.

(a) Notice of Violation.

- (1) The director and any person or agency designated by the director may enforce and issue a notice of violation.
  - (2) Any person violating any provision of these rules and regulations shall be issued a notice of violation. All violations noted must be corrected immediately.
  - (3) Any violation not corrected shall be subject to such penalties as noted by Section 29-11.14, Chapter 29, Article 11, ROH.
- (b) Removal and forfeiture.
- (1) Any publication dispensing device or publication dispensing rack insert in violation of these rules shall be subject to removal and forfeiture pursuant to Section 29-11.11(c), Chapter 29, Article 11, ROH.
  - (2) The owner of the device or insert shall be responsible for the removal of such device or insert.
  - (3) If the owner fails to remove such device or insert as noted on the notice of violation from the director, the owner shall be subject to all penalties pursuant to Section 29-11.14, Chapter 29, Article 11, ROH.
  - (4) If all efforts to remove such device or insert fails, the director and any person designated by the director may enforce and administer the provisions of these rules and regulations or the director may petition the Chief of Police for the removal of said device or insert.




**EXHIBIT**

DEPARTMENT OF CUSTOMER SERVICES  
CITY AND COUNTY OF HONOLULU

The Rules and Regulations of the Department of Customer Services, Subtitle 8, Chapter 66, Relating to Publication Dispensing Racks Throughout the Waikiki Special District, which were adopted on May 8, 2002, following a public hearing held on April 16, 2002.

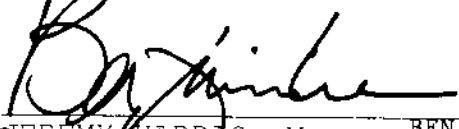
These Rules and Regulations of the Department of Customer Services, Subtitle 8, Chapter 66, shall take effect ten (10) days after filing with the Office of the City Clerk.

  
in CAROL L. COSTA, DIRECTOR  
Department of Customer Services

APPROVED AS TO FORM:

  
Deputy Corporation Counsel

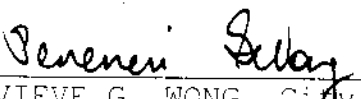
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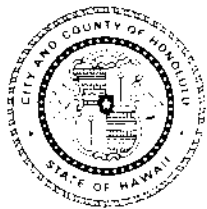
  
for JEREMY HARRIS, Mayor, BENJAMIN B. LEE  
City and County of Honolulu

Dated: 8 May 2002

Received this 10th day of

May, 2002.

  
GENEVIEVE G. WONG, City Clerk



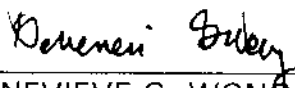
**OFFICE OF THE CITY CLERK**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813 / TELEPHONE 523-4352

**GENEVIEVE G. WONG**  
City Clerk

**CERTIFICATE**

I, GENEVIEVE G. WONG, the duly appointed and qualified City Clerk of the City and County of Honolulu, State of Hawaii, do hereby certify that attached hereto are two copies of the Rules and Regulations of the Department of Customer Services relating to publication dispensing rack enclosures throughout the Waikiki Special District which were adopted on May 8, 2002, and to become effective on May 18, 2002.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City and County of Honolulu, Hawaii, to be affixed this 10th day of May 2002.

  
\_\_\_\_\_  
GENEVIEVE G. WONG  
City Clerk  
City and County of Honolulu  
State of Hawaii